

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

)
) No. 03 MDL 1570 (GBD/FM)
) ECF Case
)

This document relates to:

ASHTON, *et al.* v. AL QAEDA ISLAMIC ARMY, *et al.*,
Case No. 02-CV-6977;
BURNETT, *et al.* v. AL BARAKA INVESTMENT & DEVELOPMENT CORP., *et al.*,
Case No. 03-CV-9849¹;
CANTOR FITZGERALD ASSOCIATES, LP, *et al.* v. AKIDA INVESTMENT CO., LTD., *et al.*,
Case No. 04-CV-7065;
CONTINENTAL CASUALTY CO., *et al.* v. AL QAEDA ISLAMIC ARMY, *et al.*,
Case No. 04-CV-5970;
EURO BROKERS, INC., *et al.* v. AL BARAKA INVESTMENT AND DEVELOPMENT CORP., *et al.*,
Case No. 04-CV-7279;
FEDERAL INSURANCE CO., *et al.* v. AL QAIDA, *et al.*,
Case No. 03-CV-6978;
ESTATE OF O'NEILL, *et al.* v. AL BARAKA INVESTMENT AND DEVELOPMENT CORP., *et al.*,
Case No. 04-CV-1923;
WORLD TRADE CENTER PROPERTIES LLC, *et al.* v. AL BARAKA INV. AND DEV. CORP., *et al.*,
Case No. 04-CV-7280

**PLAINTIFFS' NOTICE OF CORRECTION TO REFERENCE IN PLAINTIFFS'
OPPOSITION TO DEFENDANT AL HARAMAIN ISLAMIC FOUNDATION, INC. (USA)'S
RULE 72 OBJECTIONS TO OCTOBER 28, 2010 RULING (DOCKET ENTRY 2389)**

On behalf of the plaintiffs in the above-referenced matters, we write to correct an error in the memorandum of law filed on November 29, 2010, to oppose defendant Al Haramain Islamic Foundation's objections to the October 28, 2010 order of Magistrate Judge Maas (Docket Entry 2389). On page one of Plaintiffs' brief, Plaintiffs characterized Al Haramain's objections as

¹ Though the Rule 72 Objections of the U.S. branch office of the Al Haramain Islamic Foundation were filed as "related to" all of the cases listed here, the motion to compel that underlies these Rule 72 Objections is related to only the *Burnett* case (Case No. 03-CV-9849). Throughout the underlying history of this discovery dispute, only the *Burnett* plaintiffs were engaged in discovery with Al Haramain, because Al Haramain's motions to dismiss remained pending as to the remaining plaintiffs' cases until the Court's most recent ruling. The other cases are, however, included in this caption because they were so listed in the Rule 72 Objections.

being untimely and explained in a footnote why Plaintiffs believed the filing was untimely. In relation to this characterization, Plaintiffs did not recognize that November 11, the original due date, was Veterans' Day (extending the deadline from November 11 to November 12 under Rule 6) and inadvertently based their deadline calculation on the mistaken understanding that the filing was done on November 15, rather than November 12. Because the November 12 filing was done within the deadline, Plaintiffs withdraw the contention that Al Haramain's objections were filed in an untimely manner. The remainder of Plaintiffs' opposition to Al Haramain's objections is unaffected by this correction.

Dated: December 1, 2010

Respectfully submitted,

/s/

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